

Exhibit 2



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

**Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88**

The Honorable Shira A. Scheindlin

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 04973 (SAS)

**PLAINTIFF CITY OF FRESNO'S RESPONSES TO COASTAL CHEM. INC.'S
FIRST SET OF INTERROGATORIES TO PLAINTIFF**

Plaintiff City of Fresno ("City" or "Fresno"), by and through its attorneys, Miller, Axline & Sawyer, makes the following Responses and General Objections to Coastal Chem, Inc.'s ("Coastal") First Set of Interrogatories to Plaintiff City of Fresno.

GENERAL OBJECTIONS

1. The City objects to Coastal's Discovery to the extent that it seeks information or documents outside the scope of discovery permissible under the Federal Rules of Civil Procedure.
2. The City objects to Coastal's Discovery to the extent it seeks documents or information covered by the attorney-client privilege, the work product privilege, or any other applicable privilege or immunity. The City's responses are not intended as, or should be construed as, a waiver or relinquishment of any part of the protections afforded by the attorney-client privilege, the work product privilege, or any other applicable privileges or immunities.

RESPONSE TO INTERROGATORY NO. 41:

Without waiving its objections, plaintiff responds as follows: At this time, plaintiff does not make this contention. Plaintiff reserves the right to supplement and amend this response.

INTERROGATORY NO. 42:

Do YOU contend that Coastal Chem ever sold gasoline to the SITE located at 2740 North Van Ness Boulevard in Fresno, California?

RESPONSE TO INTERROGATORY NO. 42:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has information that Chevron gasoline was delivered to this station.

Coastal supplied neat MTBE to Chevron's refinery, which produced gasoline containing MTBE that was supplied to the site.

INTERROGATORY NO. 43:

If YOU contend that Coastal Chem ever sold gasoline to the SITE located at 2740 North Van Ness Boulevard in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR contention; and
- (c) state the date of each such sale.

RESPONSE TO INTERROGATORY NO. 43:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has

information that Chevron gasoline was delivered to this station.

The Further Response of Defendant Chevron U.S.A. Inc. to Plaintiffs' Preliminary Set of Interrogatories re: Defendant Identification establishes that Coastal supplied MTBE to Chevron at least from August to December 1993.

Chevron supplied gasoline to this site from prior to the relevant time period until at least August 1986. Subsequently, R.V. Jensen delivered gasoline refined by Chevron from 1986 until at least 2006. (James Clements depo., pp. 25-27; Garabed Bedirian depo., p. 37; Chevron U.S.A. Inc.'s Supply Declaration of Frank G. Soler and exhibits thereto.)

INTERROGATORY NO. 44:

Do YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 2740 North Van Ness Boulevard in Fresno, California?

RESPONSE TO INTERROGATORY NO. 44:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "distribution" of gasoline. Plaintiff has information that Chevron gasoline was delivered to this station.

Coastal supplied neat MTBE to Chevron's refinery, which produced gasoline containing MTBE that was supplied to the site.

INTERROGATORY NO. 45:

If YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 2740 North Van Ness Boulevard in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR

contention; and

- (c) state the dates YOU contend Coastal Chem owned the station.

RESPONSE TO INTERROGATORY NO. 55:

Without waiving its objections, plaintiff responds as follows: At this time, plaintiff does not make this contention. Plaintiff reserves the right to supplement and amend this response.

INTERROGATORY NO. 56:

Do YOU contend that Coastal Chem ever operated the SITE located at 4591 East Belmont Avenue in Fresno, California?

RESPONSE TO INTERROGATORY NO. 56:

Without waiving its objections, plaintiff responds as follows: At this time, plaintiff does not make this contention. Plaintiff reserves the right to supplement and amend this response.

INTERROGATORY NO. 57:

If YOU contend that Coastal Chem ever operated the SITE located at 4591 East Belmont Avenue in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR contention; and
- (c) state the dates YOU contend Coastal Chem operated the station.

RESPONSE TO INTERROGATORY NO. 57:

Without waiving its objections, plaintiff responds as follows: At this time, plaintiff does not make this contention. Plaintiff reserves the right to supplement and amend this response.

INTERROGATORY NO. 58:

Do YOU contend that Coastal Chem ever sold gasoline to the SITE located at 4594 East Tulare in Fresno, California?

RESPONSE TO INTERROGATORY NO. 58:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has information that ExxonMobil gasoline was delivered to this station.

Coastal supplied neat MTBE to ExxonMobil's refinery, which produced gasoline containing MTBE that was supplied to the site.

INTERROGATORY NO. 59:

If YOU contend that Coastal Chem ever sold gasoline to the SITE located at 4594 East Tulare in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR contention; and
- (c) state the date of each such sale.

RESPONSE TO INTERROGATORY NO. 59:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has information that ExxonMobil gasoline was delivered to this station.

Defendant Exxon Mobil Corporation's Responses and Objections to Plaintiffs' Preliminary Set of Interrogatories Regarding Defendant Identification establishes that Coastal supplied MTBE to Exxon in California at least in 1994 and 1997-1998.

Declaration of Valero Defendants: Valero Refining Company-California maintained an Exxon brand distributor sales agreement for this station. Under the agreement's terms, Julien Oil Company purchased Exxon-branded gasoline for sale at this station.

The Regional Water Quality Control Board issued a letter to Mr. Singh and Mr. Sandhu written by Dane A. Mathis, Engineering Consultants, giving a history of the site. It noted "the site is currently occupied by a service station and mini mart. The station currently sells Exxon-branded gasoline and diesel fuel." (RWQCB-Fresno-017012.)

The site sold Exxon gasoline. (Singh, N., 26: 22-24.)

INTERROGATORY NO. 60:

Do YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 4594 East Tulare in Fresno, California?

RESPONSE TO INTERROGATORY NO. 60:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "distribution" of gasoline. Plaintiff has information that ExxonMobil gasoline was delivered to this station.

Coastal supplied neat MTBE to ExxonMobil's refinery, which produced gasoline containing MTBE that was supplied to the site.

INTERROGATORY NO. 61:

If YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 4594 East Tulare in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR

#108.

INTERROGATORY NO. 152:

Do YOU contend that Coastal Chem ever operated the SITE located at 4090 Chestnut South in Fresno, California?

RESPONSE TO INTERROGATORY NO. 152:

Without waiving its objections, plaintiff responds as follows: Beyond the scope of permissible discovery, because this site was dismissed from the case by Case Management Order #108.

INTERROGATORY NO. 153:

If YOU contend that Coastal Chem ever operated the SITE located at 4090 Chestnut South in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR contention; and
- (c) state the dates YOU contend Coastal Chem operated the station.

RESPONSE TO INTERROGATORY NO. 153:

Without waiving its objections, plaintiff responds as follows: Beyond the scope of permissible discovery, because this site was dismissed from the case by Case Management Order #108.

INTERROGATORY NO. 154:

Do YOU contend that Coastal Chem ever sold gasoline to the SITE located at 2809 Chestnut in Fresno, California?

RESPONSE TO INTERROGATORY NO. 154:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has information that ExxonMobil gasoline was delivered to this station.

Coastal supplied neat MTBE to ExxonMobil's refinery, which produced gasoline containing MTBE that was supplied to the site.

INTERROGATORY NO. 155:

If YOU contend that Coastal Chem ever sold gasoline to the SITE located at 2809 Chestnut in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR contention; and
- (c) state the date of each such sale.

RESPONSE TO INTERROGATORY NO. 155:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has information that ExxonMobil gasoline was delivered to this station.

Defendant Exxon Mobil Corporation's Responses and Objections to Plaintiffs' Preliminary Set of Interrogatories Regarding Defendant Identification establishes that Coastal supplied MTBE to Exxon in California at least in 1994 and 1997-1998.

Declaration of A.J. Kaberline: Exxon Corporation had a distributor relationship with Inter-City Petroleum Marketers, Inc. (dba Red Triangle Oil Co.); Inter-City purchased gasoline

from Exxon Corporation.

Exxon was the biggest supplier of gasoline to the Red Triangle site. (Blue, Glenn, 22:17-22.) John Harness Oil Company was a supplier of Exxon products. (Blue, G., 23: 3-12.)

INTERROGATORY NO. 156:

Do YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 2809 Chestnut in Fresno, California?

RESPONSE TO INTERROGATORY NO. 156:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "distribution" of gasoline. Plaintiff has information that ExxonMobil gasoline was delivered to this station.

Coastal supplied neat MTBE to ExxonMobil's refinery, which produced gasoline containing MTBE that was supplied to the site.

INTERROGATORY NO. 157:

If YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 2809 Chestnut in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR contention; and
- (c) state the date of each such distribution.

RESPONSE TO INTERROGATORY NO. 157:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "distribution" of gasoline. Plaintiff

contention; and

- (c) state the dates YOU contend Coastal Chem operated the station.

RESPONSE TO INTERROGATORY NO. 193:

Without waiving its objections, plaintiff responds as follows: At this time, plaintiff does not make this contention. Plaintiff reserves the right to supplement and amend this response.

INTERROGATORY NO. 194:

Do YOU contend that Coastal Chem ever sold gasoline to the SITE located at 1605 Cedar Avenue North in Fresno, California?

RESPONSE TO INTERROGATORY NO. 194:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has information that Chevron gasoline was delivered to this station.

Coastal supplied neat MTBE to Chevron's refinery, which produced gasoline containing MTBE that was supplied to the SITE.

INTERROGATORY NO. 195:

If YOU contend that Coastal Chem ever sold gasoline to the SITE located at 1605 Cedar Avenue North in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;
- (b) IDENTIFY all PERSONS who possess personal knowledge that supports YOUR contention; and
- (c) state the date of each such sale.

RESPONSE TO INTERROGATORY NO. 195:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "sale" of gasoline. Plaintiff has information that Chevron gasoline was delivered to this station.

The Further Response of Defendant Chevron U.S.A. Inc. to Plaintiffs' Preliminary Set of Interrogatories re: Defendant Identification establishes that Coastal supplied MTBE to Chevron at least from August to December 1993.

Union Oil supplied gasoline to this site from prior to the relevant time period until at least November 1996. (Union Oil Company of California's Supply Declaration of Frank G. Soler and exhibits thereto.)

INTERROGATORY NO. 196:

Do YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 1605 Cedar Avenue North in Fresno, California?

RESPONSE TO INTERROGATORY NO. 196:

Without waiving its objections, plaintiff responds as follows: Plaintiff has insufficient information to contend whether a particular delivery was a "distribution" of gasoline. Plaintiff has information that Chevron gasoline was delivered to this station.

Coastal supplied neat MTBE to Chevron's refinery, which produced gasoline containing MTBE that was supplied to the SITE.

INTERROGATORY NO. 197:

If YOU contend that Coastal Chem ever distributed gasoline to the SITE located at 1605 Cedar Avenue North in Fresno, California,

- (a) state all facts upon which YOU base YOUR contention;